

Date:

1 July 03

No. of Sheets (including cover): 14

TO:

Examiner T. S. Law

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2863

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TECHNOLOGY CENTER 2800

Subject: Patent Application

Docket No: 09/772, 474

Serial No: CA 919990016

Comments:

RCE After Final

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PTO/SB/20 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Exemption (b) of 35 U.S.C. § 122, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/772,474
Filing Date	January 30, 2001
First Named Inventor	C. Concan
Group Art Unit	2863
Examiner Name	T. S. Lau
Attorney Docket Number	CA919970016

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/20) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 68 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 28, 2000); 1239 Off. Gen. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; see under 37 C.F.R. § 1.17 (f) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 C.F.R. § 1.17(a) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0510
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(a)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- 07/10/2003 VBROWN2 00000005 500510 09772474
01 FC:1801 750.00 DA

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Anne Vachon Dougherty	Registration No. (Attorney/Agent)	30,374
Signature	Anne Vachon Dougherty	Date	July 1, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: facsimile to (703) 308-5841

Name (Print/Type)	Anne Vachon Dougherty	Date	July 1, 2003
Signature	Anne Vachon Dougherty		

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE
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TO EXAMINER LAU AT (703) 308-5841

DATE OF DEPOSIT: July 1, 2003

signature

date

Anne Vachon Dougherty 7/1/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : July 1, 2003
C. Conan, et al : Group Art No.: 2863
Serial No. 09/772,474 : Examiner: T. S. Lau
Filed: January 30, 2001 : for IBM Corporation
Anne Vachon Dougherty
Title: AUTOMATED TESTING OF 3173 Cedar Road
COMPUTER SYSTEM COMPONENTS Yorktown Heights, NY 10598

AMENDMENT

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Commissioner of Patents

JUL 01 2003

Sir:

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This amendment is being filed with an RCE in response to the Final Office Action dated April 1, 2003. The three month statutory period expires on July 1, 2003; and, therefore, this is a response within the statutory period and no additional fee is due.

In response to the Office Action, Applicants wish to submit the amendments and remarks set forth below.